

ASSEMBLY BILL

No. 1587

Introduced by Assembly Member Galgiani

February 6, 2012

An act to add Section 103628.8 to the Health and Safety Code, and to add Section 18968.7 to the Welfare and Institutions Code, relating to vital records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1587, as introduced, Galgiani. Vital records: fees: San Joaquin County.

Existing law requires the collection of fees for certified copies of fetal death or death records and marriage or birth certificates. Existing law authorizes the board of supervisors of a county that has established a county children's trust fund to increase the fee for a certified copy of a birth certificate for purposes of the fund.

Additionally, existing law authorizes certain counties, upon making certain findings and declarations, to authorize an increase in fees for marriage licenses and confidential marriage licenses and for certified copies of certain vital records, as specified. Existing law requires the revenue from these increased fees to be allocated for purposes relating to domestic violence prevention, intervention, and prosecution.

This bill would authorize the San Joaquin County Board of Supervisors, upon making findings and declarations regarding the need for governmental oversight and coordination of the multiple agencies dealing with child abuse, to authorize an increase in the fees for certified copies of marriage certificates, birth certificates, fetal death records, and death records up to a maximum of \$2 per record and to annually adjust that amount for inflation. This bill would require the fees to be

allocated to the Children's Services Coordinating Commission and to Court Appointed Special Advocates (CASAs), as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of San Joaquin.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 103628.8 is added to the Health and
2 Safety Code, to read:

3 103628.8. (a) The San Joaquin County Board of Supervisors,
4 upon making findings and declarations for the need for
5 governmental oversight and coordination of the multiple agencies
6 dealing with child abuse, may authorize an increase in the fees for
7 certified copies of marriage certificates, birth certificates, fetal
8 death records, and death records, up to a maximum increase of
9 two dollars (\$2) per record. The fees shall be allocated pursuant
10 to Section 18968.7 of the Welfare and Institutions Code.

11 (b) Effective July 1 of each year, the San Joaquin County Board
12 of Supervisors may authorize an increase in these fees by an
13 amount equal to the increase in the Consumer Price Index for the
14 San Francisco metropolitan area for the preceding calendar year,
15 rounded to the nearest one-half dollar (\$0.50). The fees shall be
16 allocated pursuant to Section 18968.7 of the Welfare and
17 Institutions Code.

18 (c) In addition to the fees prescribed by subdivisions (a) and
19 (b), any applicant for a certified copy of a birth certificate, a fetal
20 death record, or a death record in San Joaquin County shall pay
21 an additional fee to the local registrar, county recorder, or county
22 clerk as established by the San Joaquin County Board of
23 Supervisors.

24 SEC. 2. Section 18968.7 is added to the Welfare and
25 Institutions Code, to read:

26 18968.7. (a) The San Joaquin County Board of Supervisors
27 shall direct the local registrar, county recorder, and county clerk
28 to deposit fees collected pursuant to Section 103628.8 of the Health
29 and Safety Code into a special fund. Proceeds from the fund shall
30 be allocated as follows:

1 (1) One-half of the fees shall be allocated to the Children's
2 Services Coordinating Commission established by the board of
3 supervisors in compliance with Article 2 (commencing with Section
4 18982) of chapter 12.5.

5 (2) One-half of the fees shall be allocated to Court Appointed
6 Special Advocates (CASA) of San Joaquin County, established in
7 accordance with Chapter 1 (commencing with Section 100) of Part
8 1 of Division 2 of the Welfare and Institutions Code, for the
9 purposes of assisting foster children.

10 (b) The county may retain up to 4 percent of the fund for
11 administrative costs associated with the collection and segregation
12 of the additional fees and the deposit of these fees into the special
13 fund.

14 SEC. 3. The Legislature finds and declares that a special law
15 is necessary and that a general law cannot be made applicable
16 within the meaning of Section 16 of Article IV of the California
17 Constitution because of the unique circumstances in San Joaquin
18 County with respect to child abuse.